

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

-against-

MILTON PLOTSKER,

Defendant.
-----v

MEMORANDUM AND ORDER

CR 94-900

(Wexler, J.)

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U S DISTRICT COURT E.D.N.Y.

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LONG ISLAND OFFICE

APPEARANCES:

ROSLYNN R. MAUSKOPF, UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

BY: MARY M. DICKMAN, ESQ.

ASSISTANT UNITED STATES ATTORNEY

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Brooklyn, New York 11201

MARTIN S. GOLDBERG, ESQ.

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Attorney for Defendant

WEXLER

After a 1994 entry of a plea of guilty to mail fraud and tax evasion, this court sentenced Defendant to a four month term of imprisonment followed by a three year period of supervised release. Additionally, Defendant was ordered to pay restitution in the amount of \$3 million. Defendant failed to make full restitution and a lien was placed on his property. In August of 2003, this court issued an order directing, inter alia, that the Government permit Defendant to refinance the mortgage on his residence so as to obtain a more favorable rate of interest. That

order further stated that Defendant was prohibited from increasing the amount of his mortgage or obtaining additional monies through refinancing.

Presently before the court is Defendant's request to again refinance his mortgage and, in addition, to obtain \$40,000 from the proceeds of the new loan for his living expenses. The Government opposes the request.

Upon consideration, the court orders that the United States permit Defendant to refinance his mortgage but holds that Defendant may not increase the amount of his mortgage or obtain any additional monies through the refinancing process.

SO ORDERED


LEONARD D. WEXLER
UNITED STATES DISTRICT JUDGE

Dated: Central Islip, New York
January 3, 2006